

State Aid Rules	State Aid Guidelines	Comments
<p>Purpose R 397.01 Purpose and applicability. Rule 1. (1) The purpose of these rules is to prescribe eligibility requirements for public libraries and cooperative libraries to receive state aid funds. (2) These rules apply to and establish responsibilities of the department of history, arts, and libraries and library of Michigan when administering state aid monies.</p>	<p>n/a</p>	<p>The drafting rules prohibit the inclusion of any statutory language in the rules. Hence, certain things are not in the rules, like the local support requirement, because these things are already in the statute (State Aid to Public Libraries Act, 1977 PA 89, MCL 397.551 <i>et seq.</i>). It is necessary to substitute HAL for LM because the Department has the legal authority to administer state aid funds.</p>
<p>Definitions R 397.02 Definitions a to e. Rule 2. As used in these rules: (a) “Accredited institution” means an educational institution recognized by a regional accrediting body and is a qualified institution, as defined by section 2 of 2005 PA 100, MCL 390.1602. (b) “Act” means the state aid to public libraries act, 1977 PA 89, MCL 397.551 to 397.576. (c) “Certification” or “certificate” means and pertains to the minimum educational and experience requirements applicable to public library employees and directors and cooperative library directors. (d) “Department” means the department of history, arts, and libraries. (e) “Director” means the public library or cooperative library’s chief administrative officer. R 397.03 Definitions f to m. Rule 3. As used in these rules: (a) “Full time employment” means working a minimum of 35 hours a week. (b) “Jurisdictional service area” means the area that is within a public library’s legal boundaries wherein the electors are authorized to vote on a library millage and may be eligible to be library board members. (c) “Lawfully established” means library establishment by a public or local act, city charter, or ordinance, or special act of the legislature and excludes any type of library that has been established in a fashion unrecognized by the department. (d) “Legal service area population” means the total population residing within an area designated for and served by a public library, including the jurisdictional area, any contractual service area, persons who have nonresident cards, or a cooperative library. (e) “Library class” means the size criteria number, 1 to 6, based on population served. (f) “Library of Michigan” means the library of Michigan created by the library of Michigan act, 1982 PA 540, MCL 397.11 to 397.24. (g) “Library service” means all library services that are offered by a public library. R 397.04 Definitions n to z. Rule 4. As used in these rules: (a) “Participating library” means a public library that has joined a cooperative library. (b) “Personnel” or “employee” or “staff” means any person who is employed by or is an agent of a public library or a cooperative library. (c) “Population” means the number of persons residing within a specific geographic area according to the last official federal census or special federal census. (d) “Reasonable fee” means an amount of money not more than the amount</p>	<p>Definitions page 9: “Act” means the State Aid to Public Libraries Act, 1977 PA 89, MCL 397.551 to 397.576 of the Michigan Compiled Laws. “Cooperative library” means a special purpose library designated solely to provide cooperative services. “Council” means the Legislative Council. “Director” means the chief administrative officer of a cooperative library. “Head librarian” means the chief administrative officer of a public library. “Local support” means all funds from tax sources, gifts, endowments, penal fines, or other funds received from local sources, excluding state and federal aid and in-kind contributions. “Participating library” means a member public library that has joined a cooperative library. “Population” means the population according to the last official federal census or special federal census. “Public library” means a library that is lawfully established for free public purposes by one or more counties, cities, townships, villages, school districts, or other local governments singly or in combination, or by a public or local act, the entire interests of which belong to the general public. Public library does not include a special library, such as a professional, technical, or school library. “Served population” means the total population of the area designated for a cooperative library. “Substantial modification” of a cooperative library plan means any change in the public library membership that would require a change in the legal boundaries of the cooperative library as originally approved by the state board.</p>	<p>Definitions deleted: Cooperative library – Statutorily defined, MCL 397.552 Council – No longer relevant Local support – Statutorily defined, MCL 397.552 Public library – Statutorily defined, MCL 397.552 Substantial modification Definitions added: Accredited institution – Included because the certification guidelines have been incorporated into the state aid rules. Certification or certificate – Included for the reason above. Department – Included because LM is an agency of HAL. HAL has the legal authority to promulgate and administer rules. Full time employment – Added because of its use in eligibility requirements. Jurisdictional service area – Added to clarify the differences between jurisdictional and contractual service areas and is also used in the rules. Lawfully established – Included because it is an eligibility requirement. Library class – Included because of its relevance to eligibility criteria. Library of Michigan – Included because of its use in the rules. Library service – Included because of reference to it in the rules. Personnel or employee or staff – Included because referred to in the rules. Reasonable fee – Included because of reference to it in the rules. State librarian – Included because of reference in rules. Definitions amended: “Legal service area population” will be used in lieu of “served population” because it provides a better description and includes both jurisdictional and contractual service areas.</p>

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<p>of money that a resident within a library's jurisdictional service area pays annually through any millage, local appropriation, or other local support furnished for library service.</p> <p>(e) "State librarian" means the person appointed by the governor to serve as the state librarian.</p>		
<p>Application process</p> <p>R 397.21 Application process for state aid.</p> <p>Rule 21. (1) Applications for state aid shall be submitted as follows:</p> <p>(a) Each applicant for state aid shall submit an application for state aid by electronic means. This submission shall be filed annually with the department between October 1 and no later than February 1.</p> <p>(b) After the application for state aid is electronically submitted to the department, a duly authorized representative of the applicant shall sign an original signature page and mail it to the department postmarked not later than February 5.</p> <p>(2) The department shall not approve any application for state aid submitted after the dates specified within subdivisions (a) to (c) of subrule 1 of this rule.</p> <p>R 397.22 Contract area populations.</p> <p>Rule 22. State aid for a public library furnishing library service under a library service contract shall be calculated as follows:</p> <p>(1) A public library's state aid service population shall include a contract area population if the library has served the contract area for 6 months or longer during the library's state aid reporting year.</p> <p>(2) If 2 or more public libraries have each served the same contract area for less than 6 months during their respective reporting years, the library with the greatest time of service to the contract area within its reporting year shall include the contract area in its legal service area population.</p> <p>(3) If 2 public libraries have served the same contract area for the same length of time but for less than 6 months during the reporting year, the public library whose contract was in force the nearest to October 1 of the year of state aid distribution shall include the contract area in its legal service area population.</p> <p>(4) If a contract area is served by only 1 public library for less than 6 months in its reporting year and no other public library furnished service during the same reporting year, the public library shall include the contract area in the calculation of its legal service area population.</p> <p>(5) A public library may require a contracting municipality to pay a reasonable fee based on the contracting municipality's population in addition to state aid funds and penal fine monies that may be paid as library service contract consideration.</p> <p>(6) If a public library has contracted with a municipality for the provision of library service and the total local support for the legal service area population is less than the minimum local support requirement mandate in section 5(a) of the act, MCL 397.555(a), each governmental unit comprising the legal service area population may be treated as a separate unit and each unit shall meet the minimum support requirement prescribed in section 5(a) of the act, MCL 397.555(a).</p>	<p>State Aid Applications for Public Libraries and Cooperative Libraries page 9:</p> <p>Cooperative and public libraries shall submit an Annual Report/State Aid Application to the Library of Michigan between October 1 and February 1 of each distribution year. The annual reports provide the Library of Michigan with current information as well as statistics for the last completed fiscal year prior to October 1. The report data will be reviewed for compliance with the eligibility requirements for State Aid, and also will be used to compile the Directory of Michigan Libraries and Michigan Library Statistical Report.</p> <p>The Annual Report/State Aid Application shall be submitted by means of a paper document or electronically. The reports must be postmarked or electronically submitted on or before February 1. When filing electronically, an original signature page must be postmarked on or before February 5. Reports received after the deadline will render the library ineligible to receive state aid. Cooperative and public libraries unable to submit the Annual Report/State Aid Application by the February 1 deadline must submit a letter of intent to file. The letter must be postmarked by February 1 and must include a satisfactory explanation outlining the cause for the late filing. All late Annual Reports must be postmarked or electronically submitted on or before March 31. The original signature page of the late reports must be postmarked on or before April 5. Reports and letters of intent received after the deadline will render the library ineligible to receive state aid.</p> <p>Contract Area Populations page 14:</p> <p>State aid payments to libraries with contract populations shall be calculated in accordance with all of the following:</p> <p>A public library's state aid service population shall include a contract area population if the library has served the contract area for 6 months or more during the library's state aid reporting year.</p> <p>If 2 or more public libraries have each served the same contract area for less than 6 months during their respective reporting years, the library with the greatest time of service to the contract area within its reporting year shall include the contract area in its state aid service population.</p> <p>If 2 public libraries have served the same contract area for the same length of time, but for less than 6 months within their reporting year, the public library whose contract was in force the nearest to October 1 of the year of state aid distribution shall include the contract area in its state aid service population.</p> <p>If a contract area is served by only 1 public library for less than 6 months of its reporting year, and no other library has a claim to the contract area, that public library shall include the contract area in its state aid service</p>	<p>Changes Between Guidelines' and Rules' Application Requirements:</p> <p>R 397.21 specifies that applicants submit their applications electronically and thereafter mail an original signature page to HAL. The guidelines authorized either paper or electronic application submission. The paper option was omitted because it is more cost effective to handle the applications electronically.</p> <p>The guidelines prescribed late filings of applications and annual reports and the use of letters of intent. This language was omitted in the rules. In the event a library or library cooperative is unable to meet the filing deadlines set forth in the rules, they may seek a waiver from the State Librarian.</p> <p>Changes Between Guidelines and Rules Contractual Population Requirements:</p> <p>R 397.21(5) and (6) were added to the rules to support equitable service contracts between public libraries and municipalities. The subrules also provide the methodology that will be utilized by HAL when calculating local support requirements in the event that a library fails to meet its local support requirement under the act as a whole (contractual and jurisdictional service areas).</p>

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	population.	
<p>Public library requirements.</p> <p>R 397.31 General requirements for public libraries.</p> <p>Rule 31. (1) To be eligible for state aid under section 16(2) of the act, MCL 397.566(2), and in addition to the state aid eligibility requirements prescribed by the act and by R 397.41 to R397.46, a public library shall meet all of the following:</p> <p>(a) A public library shall be lawfully established under state law and local action or special act of the legislature.</p> <p>(b) A public library shall provide library service to its legal service area population.</p> <p>(c) If a public library furnishes nonresident cards it shall provide library service to nonresident card holders.</p> <p>(d) A public library shall employ the requisite number of paid certified persons for every hour the library is required to be open, subject to the following exceptions:</p> <p>(i) The personnel requirements do not apply with respect to personnel with valid certificates who were employed by a public library as of October 1, 2009. When a person employed as of October 1, 2009 leaves the position, the position shall be filled in compliance with the minimum requirements in order for the library to remain eligible for state aid.</p> <p>(ii) A public library that does not comply with personnel requirements due to a change in class level following the application of a decennial census is eligible for state aid if the personnel continued to present valid certificates and were employed before the library received notification of the change in class level.</p> <p>(iii) When a person employed before the change in class level leaves the position, the position shall be filled in accordance with the personnel requirements in order for the library to remain eligible for state aid.</p> <p>(e) The minimum hours of accessibility requirements prescribed by R 397.41 to R 397.46 shall be maintained for not less than 9 months during the 12-month operating period and as follows:</p> <p>(i) Accessible hours shall include evening hours or weekend hours, or both.</p> <p>(ii) If a public library has more than 1 branch and if the hours for the main library building and each established branch library are different, the unduplicated hours may be added together to satisfy the minimum open hours requirement.</p> <p>(2) A public library that shifts to a higher class level because of a change in its legal service area population shall meet the higher level of standard for accessibility and personnel not later than the beginning of the next reporting year after the library has received notice from the department of the change of library class.</p> <p>(3) A public library is eligible for state aid under section 16(4) of the act, MCL 397.566, if it complies with these rules and is a participating member of a cooperative library for not less than 30 days prior to September 30 of the reporting year.</p> <p>(4) A public library is eligible for state aid under section 16(5) of the act, MCL 397.566, if it meets county reimbursable salary requirements as required by the act.</p>	<p>Public Library Qualifications for State Aid pages 11 and 12:</p> <p>A public library is eligible for state aid under section 16(2) of the act if it meets the hours of accessibility, library personnel and local financial support requirements. A public library is eligible for state aid under section 16(4) of the act if it complies with guidelines and is a participating member of a cooperative library not less than 30 days prior to September 30. A public library is eligible for state aid under section 16(5) of the Act if it meets county reimbursable salary requirements.</p> <p>In order to receive state aid, a public library shall meet the standards for hours of accessibility and library personnel set forth in the rules according to its class level. A public library that shifts to a higher class level because of a change in population shall meet the higher level of standard for accessibility and personnel not later than the last month of the public library's next full fiscal year following notification by the Library of Michigan of the shift in class level.</p> <p>Hours of Accessibility Requirement page 12:</p> <p>A public library shall be accessible to the public in accordance with the following table and hours shall include evening hours or weekend hours or both. If a public library has more than one branch, and if the hours for the main library building and each established branch library are different, the unduplicated hours may be added together to satisfy the minimum open hours requirement. The minimum hours of accessibility requirement must be maintained for not less than 9 months of the 12-month operating period. If a reduced-hours schedule is implemented, the library must be open not less than 10 hours per week.</p> <p>Employment of Qualified Personnel During Required Hours page 12:</p> <p>A public library shall employ a sufficient number of qualified persons for every hour the library is required to be open. For Class V and VI public libraries, the head librarian may be used to satisfy part of the support staff requirement so long as the required number of qualified persons are available for the minimum number of hours the library is required to be open. It is preferred that properly certified persons be available at all times when the library is open to the public.</p> <p>The head librarian and other personnel of a public library may be appointed to serve in dual capacity with a cooperative library, providing that the time the person spends in each position is in direct ratio to the salary received for that position.</p> <p>Federal Census Guideline for Personnel page 13:</p> <p>A public library that does not comply with personnel requirements due to a change in class level following the application of a decennial census is eligible for state aid so long as the personnel continued to present valid certificates and were employed before the library received notification of the change in class level. When an individual employed before the change in class level leaves the position, the position must be filled in accordance with the personnel requirements in order for the library to remain eligible for state aid.</p>	<p>Changes Between Guidelines and Rules General Public Library Qualification Requirements:</p> <p>R 397.31(1)(a) was added because LM and HAL feel that it is important to ensure that state aid funds remain solely for use by Michigan's public libraries and library cooperatives.</p> <p>R 397.31(1)(b) and (1)(c) were added in an effort to help to ensure that Michigan public libraries provide every resident within their legal service population and any non –legal-service-area residents having purchased an authorized library card with full library services.</p> <p>Employment of Qualified Personnel During Required Hours</p> <p>Guideline language: "A public library shall employ a sufficient number of qualified persons for every hour the library is required to be open. For Class V and VI public libraries, the head librarian may be used to satisfy part of the support staff requirement so long as the required number of qualified persons are available for the minimum number of hours the library is required to be open. It is preferred that properly certified persons be available at all times when the library is open to the public.", has been omitted because personnel requirements are addressed in R 397.41.</p> <p>Guideline language: "The head librarian and other personnel of a public library may be appointed to serve in dual capacity with a cooperative library, providing that the time the person spends in each position is in direct ratio to the salary received for that position.", has been omitted from the rules based on the comments we received from libraries and library cooperatives.</p>

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<p>Public Library Eligibility Requirements Based on Class Size:</p> <p>R 397.41 Eligibility requirements for a class 1 public library.</p> <p>Rule 41. (1) A class 1 public library serves a population of 3,999 or less.</p> <p>(2) A class 1 public library shall be accessible for a minimum of 15 hours per week.</p> <p>(3) A class 1 public library shall employ a director possessing at least a level 4 certificate. The director shall complete beginning director training within 1 year of initial directorship appointment. This subrule does not apply to a director who has completed beginning director training prior to his or her appointment as a director.</p> <p>(4) A class 1 public library shall employ a director at least 15 hours per week.</p> <p>R 397.42 Eligibility requirements for a class 2 public library.</p> <p>Rule 42. (1) A class 2 public library serves a population of 4,000 to 6,999.</p> <p>(2) A class 2 public library shall be accessible for a minimum of 20 hours per week.</p> <p>(3) A class 2 public library shall employ a director possessing at least a level 4 certificate. The director shall complete beginning director training within 1 year of initial directorship appointment. This subrule does not apply to a director who has completed beginning director training prior to his or her appointment as a director.</p> <p>(4) A class 2 public library shall employ a director at least 20 hours per week.</p> <p>R 397.43 Eligibility requirements for a class 3 public library.</p> <p>Rule 43. (1) A class 3 public library serves a population of 7,000 to 11,999.</p> <p>(2) A class 3 public library shall be accessible for a minimum of 30 hours per week.</p> <p>(3) A class 3 public library shall employ a director possessing at least a level 3 certificate. The director shall complete beginning director training within 1 year of initial directorship appointment. This subrule does not apply to a director who has completed beginning director training prior to his or her appointment as a director.</p> <p>(4) A class 3 public library shall employ a director at least 30 hours per week.</p> <p>(5) A class 3 public library shall employ at least 1 staff person, excluding a director, who possesses at least a level 4 certificate.</p> <p>R 397.44 Eligibility requirements for a class 4 public library.</p> <p>Rule 44. (1) A class 4 public library serves a population of 12,000 to 25,999.</p> <p>(2) A class 4 public library shall be accessible for a minimum of 40 hours per week.</p> <p>(3) A class 4 public library shall employ a director possessing at least a level 2 certificate. The director shall complete beginning director training within 1 year of initial directorship appointment and complete advanced director training within 2 years of initial appointment. This subrule does not apply to directors that have completed beginning director and advanced director training prior to their appointment as a director.</p> <p>(4) A class 4 public library shall employ a director at least 35 hours per week.</p> <p>(5) A class 4 public library shall employ at least 1 staff person, excluding the director, who possesses at least a level 4 certificate.</p> <p>R 397.45 Eligibility requirements for a class 5 public library.</p> <p>Rule 45. (1) A class 5 public library serves a population of 26,000 to</p>	<p>Population Served Class Level page 11:</p> <table><tr><td>0 - 3,999</td><td>I</td></tr><tr><td>4,000 - 6,999</td><td>II</td></tr><tr><td>7,000 - 11,999</td><td>III</td></tr><tr><td>12,000 - 25,999</td><td>IV</td></tr><tr><td>26,000 - 49,999</td><td>V</td></tr><tr><td>50,000 or over</td><td>VI</td></tr></table> <p>Class Level Minimum Open Hours to the Public page 12:</p> <table><tr><td>15 hours per week</td><td>I</td></tr><tr><td>20 hours per week</td><td>II</td></tr><tr><td>30 hours per week</td><td>III</td></tr><tr><td>40 hours per week</td><td>IV</td></tr><tr><td>50 hours per week</td><td>V</td></tr><tr><td>55 hours per week</td><td>VI</td></tr></table> <table><tr><th>Class Certificate page 12:</th><th>Certificate for Level for Head</th><th>Support Staff</th></tr><tr><td>I</td><td>VII</td><td>No requirement</td></tr><tr><td>II</td><td>VII</td><td>No requirement</td></tr><tr><td>III</td><td>V</td><td>One VI or VII*</td></tr><tr><td>IV</td><td>II</td><td>One II, III, IV, or V*</td></tr><tr><td>V</td><td>I</td><td>One II or III/20,000 served**</td></tr><tr><td>VI</td><td>I</td><td>One II or III/20,000 served**</td></tr></table> <p>*Exclusive of Head **Inclusive of Head</p>	0 - 3,999	I	4,000 - 6,999	II	7,000 - 11,999	III	12,000 - 25,999	IV	26,000 - 49,999	V	50,000 or over	VI	15 hours per week	I	20 hours per week	II	30 hours per week	III	40 hours per week	IV	50 hours per week	V	55 hours per week	VI	Class Certificate page 12:	Certificate for Level for Head	Support Staff	I	VII	No requirement	II	VII	No requirement	III	V	One VI or VII*	IV	II	One II, III, IV, or V*	V	I	One II or III/20,000 served**	VI	I	One II or III/20,000 served**	<p>Changes Between Guidelines and Rules For Public Libraries Based on Class Size: The rules have combined population, hours and employee requirements into one rule for each library class size. The changes in director / employee certification requirements in the rules reflects the certification changes incorporated into rules R 397.81 to 397.85. The rules also include the number of hours a director shall be employed in the library each week based on class size. This new language was included to address the question often posed by libraries of how many hours does a director need to be working in a library each week. 35 hours per week was included because 35 hours per week represents the minimum number of hours considered “full time” for purposes of state aid.</p>
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Class Certificate page 12:	Certificate for Level for Head	Support Staff																																													
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II	VII	No requirement																																													
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<p>49,999.</p> <p>(2) A class 5 public library shall be accessible for a minimum of 50 hours per week.</p> <p>(3) A class 5 public library shall employ a director possessing a level 1 certificate. The director shall complete beginning director training within 1 year of initial directorship appointment and complete advanced director training within 2 years of initial appointment. This subrule does not apply to directors that have completed beginning director and advanced director training prior to their appointment as a director.</p> <p>(4) A class 5 public library shall employ a director at least 35 hours per week.</p> <p>(5) A class 5 public library shall employ at least 1 staff person, excluding the director, who possesses at least a level 3 certificate per 20,000 population served.</p> <p>R 397.46 Eligibility requirements for a class 6 public library.</p> <p>Rule 46. (1) A class 6 public library serves a population of 50,000 or more.</p> <p>(2) A class 6 public library shall be accessible for a minimum of 55 hours per week.</p> <p>(3) A class 6 public library shall employ a director possessing a level 1 certificate. The director shall complete beginning director training within 1 year of initial directorship appointment and complete advanced director training within 2 years of initial appointment. This subrule does not apply to directors that have completed beginning director and advanced director training prior to their appointment as a director.</p> <p>(4) A class 6 public library shall employ a director at least 35 hours per week.</p> <p>(5) A class 6 public library shall employ at least 1 staff person, excluding the director, who possesses at least a level 3 certificate per 20,000 population served.</p>		
<p>Additional School Public Library Requirements:</p> <p>R 397.51 Additional requirements for school public libraries.</p> <p>Rule 51. In addition to the requirements prescribed in parts 3 and 4 of these rules, a school district public library shall meet all of the following:</p> <p>(a) The board of education shall appoint a library board, commission, or committee charged with making recommendations for the development of public library services and may ascribe any powers and duties necessary for implementation.</p> <p>(b) The board of education shall budget separate funds for the public library program, exclusive of funds for school library service and report expenditures to the department.</p> <p>(c) Penal fines, library millage proceeds, money donated to or collected by the school public library, payments of state aid to the school public library, and the interest on these funds shall be used for public library service only.</p> <p>(d) Library funds described in subrule (c) of this rule, shall be kept in accordance with section 1215 of 1976 PA 451, MCL 380.1215 and section 20 of the act, MCL 397.570.</p> <p>(e) The library shall not be used regularly as a classroom or study hall.</p> <p>(f) Public library service shall be maintained 12 months a year.</p> <p>(g) During the months the school is in operation, the library shall be open at least 10 hours per week outside the schedule of school hours.</p> <p>(h) The library shall acquire materials suited to the needs of its legal</p>	<p>School-Public Library Combination page 15:</p> <p>The board of education shall appoint a library board, commission, or committee charged with making recommendations for the development of public library services and may ascribe any powers and duties necessary for implementation. The board of education shall budget separate funds for the public library program, exclusive of funds for school library service, and report expenditures to the Library of Michigan annually. Penal fines, library millages, money donated to or collected by the library, grants of state aid to public libraries, and the interest on these funds shall be used for public library service only.</p> <p>Minimum Requirements page 15:</p> <p>In order to receive state aid, a school district public library located in a school building and classified as a "school-public library combination" shall meet all of the following minimum requirements:</p> <p>The personnel requirements for public library service shall be those designated for the particular class level of library. If the librarian serves a dual role as school librarian and public librarian, additional adult assistance shall be provided.</p> <p>The library shall not be used regularly as a classroom or study hall.</p> <p>The total number of hours the library is open to the public shall be those designated for the particular class level of library. Public library service</p>	<p>Changes Between Guidelines' and Rules' School Public Library Combination Requirements:</p> <p>The Department of History, Arts and Libraries was substituted for the Library of Michigan because it is the Department rather than the Library of Michigan that has the legal authority to administer the disbursement of state aid funds.</p> <p>The minimum requirements language pertaining to personnel and hours were incorporated into the general language of R 397.51.</p> <p>The Suggested Guidelines were deleted with the exceptions of resources and signage because the class-based standards are adequate and the Department did not wish to impose excessive additional requirements on school libraries because of funding issues. In addition, many of the suggested guidelines are addressed in the voluntary QSAC program.</p>

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<p>service area population.</p> <p>(i) A sign shall be placed outside of the building where the library is located announcing the name of the public library and the weekly hours of operation when the library is available for use of its legal service area population.</p>	<p>shall be maintained 12 months of the year. During the months the school is in operation, the library shall be open at least 10 hours per week outside the schedule of school hours.</p> <p>Suggested Guidelines page 15: School-public library combinations located in school buildings are encouraged to meet the following guidelines (failure to comply will not result in a loss of state aid): Libraries shall be located conveniently for community use, with designated parking and a separate entrance for public use. In order to facilitate community use of the library during school hours, the library shall include a separate reading area with seating to accommodate non-school users, according to the following minimum formula:</p> <table border="1"> <thead> <tr> <th>Population Served</th><th>Square Footage</th><th>Seats</th></tr> </thead> <tbody> <tr> <td>2,499 or under</td><td>150 square feet</td><td>5 seats</td></tr> <tr> <td>2,500 to 4,999</td><td>210 square feet</td><td>7 seats</td></tr> <tr> <td>5,000 to 9,999</td><td>300 square feet</td><td>10 seats</td></tr> <tr> <td>10,000 or more</td><td>500 square feet</td><td>15 seats</td></tr> </tbody> </table> <p>Although the total resources of the library shall be available to the total community as feasible, the library shall acquire materials suited to the needs of the pre-school child and the adult on a regular basis. A continuing public information program shall be planned to promote the use of the public library by the total community. A sign shall be placed outside the building announcing the name of the public library and the hours of operation per week for use by the general public. Adequate directional signs shall be provided within the building.</p>	Population Served	Square Footage	Seats	2,499 or under	150 square feet	5 seats	2,500 to 4,999	210 square feet	7 seats	5,000 to 9,999	300 square feet	10 seats	10,000 or more	500 square feet	15 seats	<p>The language pertaining to collections and signage were incorporated into subrules 51(h) and (i) because the Department desires all public libraries to maintain quality, community focused collections and to ensure that the community was aware of where their public library was located.</p>
Population Served	Square Footage	Seats															
2,499 or under	150 square feet	5 seats															
2,500 to 4,999	210 square feet	7 seats															
5,000 to 9,999	300 square feet	10 seats															
10,000 or more	500 square feet	15 seats															
<p>Cooperative Library Requirements: R 397.61 Cooperative library eligibility requirements. Rule 61. (1) To be eligible for state aid under section 13 of the act, MCL 397.563, a cooperative library shall meet the all of the following: (a) A cooperative library shall be lawfully established as provided under the act. (b) A cooperative library shall submit a cooperative plan as provided by R 397.62. (c) The cooperative library shall employ full time a director for at least 6 months during the reporting year possessing all of the following: (i) A level 1 professional certificate as described in R 397.81. (ii) At least 2 years of full time professional administrative experience as approved by the department. (iii) Completion of advanced director training within 1 year of appointment. (d) The cooperative library shall file with the department verification of current fidelity bond coverage. The verification shall be submitted with the original signature page of the annual application for state aid. (2) The final annual state aid payment may be distributed to a cooperative library upon completion of all of the following: (a) The cooperative library files with the department a copy of an annual financial audit completed within 12 months following the close of the fiscal year. (b) If the annual financial audit report disclosed a deficit or other material deficiency, the cooperative library shall submit a corrective action plan for review and approval by the department. (c) If a deficit is disclosed, the corrective action plan shall include a deficit</p>	<p>Cooperative Library Plan page 10: A cooperative library board shall submit to the Library of Michigan a plan for the cooperative library consisting of all of the following: Bylaws governing its administration, including the terms and methods of selecting board members, and the full text of the Policy on Disputes set forth by Council guidelines. A plan of services offered by the cooperative library and a description of the cooperative library services that each participating public library will offer to the cooperative library area. The role of a contracting library or service center and the services it will provide to members of the cooperative library. The factors necessary for the Council and each cooperative library board to evaluate compliance with the Act based upon prevailing geosocioeconomic conditions within the cooperative library area. A specification of services to be paid for by members. Budget approval process. Intervals at which all member libraries shall meet to discuss cooperative library matters. Multitype library involvement. Procedures for completion of an annual audit report. Procedures for compliance with the Open Meetings Act. Provisions for an Advisory Council representing member libraries. Procedures for cooperative membership withdrawal. A cooperative library board shall do all of the following when modifying a cooperative library plan: Submit any modifications to the Library of Michigan within 60 days of adoption.</p>	<p>Changes Between Guidelines' and Rules' Cooperative Library Eligibility Requirements:</p> <p>R 397.61(1) is new and specifies that lawful establishment is required. This is necessary to address any potential authorization questions.</p> <p>R 397.61(1)(c) is new and modifies the requirements for library cooperative directors. This section now includes new certification requirements provided in R 397.81 to R 397.85. The change also reduces the number of years of experience required from 4 years to 2 years and requires the completion of advanced director training.</p> <p>R 397.61(2) replaces the language of the State Aid Repayment Schedule on page 11 of the Guidelines. The rules omit the payment percentages to reflect the necessity of being able to adjust to changing circumstances. The payment dates are omitted for the same reason.</p> <p>R 397.62 (a) is new and requires that library cooperatives furnish the HAL a list of basic services for approval by HAL. This section was included as a means to facilitate continuity and uniformity for base services offered by library cooperatives.</p>															

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<p>elimination plan and proof that the plan was filed with the department of treasury, as required by section 21 of 1971 PA 140, MCL 141.921.</p> <p>R 397.62 Cooperative library plan.</p> <p>Rule 62. (1) A cooperative library shall submit a cooperative plan as prescribed by section 9 of the act, MCL 397.559. The plan shall include the following:</p> <p>(a) A description of the basic services offered by the cooperative library, as approved by the department.</p> <p>(b) A description of the cooperative library services offered by a participating library and furnished to members of the cooperative library.</p> <p>(c) A description of the cooperative library services furnished by a contracting third party to members of the cooperative library.</p> <p>(d) A specification of services that shall be paid for by members.</p> <p>(e) The budget approval process to be utilized by the cooperative library.</p> <p>(f) The process for cooperative member withdrawal.</p> <p>(g) The cooperative library’s dissolution process and the distribution of the cooperative library assets upon dissolution.</p> <p>(2) When modifying a cooperative library plan a cooperative library board shall do all of the following:</p> <p>(a) Give notice to participating libraries describing the proposed modification.</p> <p>(b) Obtain approval in writing by a majority of the participating libraries’ governing bodies of the proposed modification.</p> <p>(c) Give notice to participating libraries of submission of the modifications to the department.</p> <p>(d) Submit notice of each modification to the department within 60 days after adoption.</p> <p>(3) A cooperative library plan may include a provision authorizing a cooperative advisory board in addition to the cooperative governing board.</p>	<p>Provide adequate notice to all local public library boards concerning the exact nature of the proposed changes.</p> <p>Provide reasonable opportunity for local board reaction to the proposed changes.</p> <p>Provide notice to all participating libraries of any hearings on the modifications to be held by the Council or the Library of Michigan.</p> <p>Provide notice to all participating libraries of the submission of the proposed modification to the Library of Michigan.</p> <p>Proposed changes should be adopted by a majority vote of all participating libraries, not by cooperative board action.</p> <p>After a Library of Michigan review of the proposed changes and upon its recommendation, any substantial modifications to the plan will be submitted to the Legislative Council Administrator for approval. If there are disputed issues that cannot be resolved by the administrator, the matter may be submitted to the Legislative Council for resolution.</p> <p>Qualifications for State Aid page 10:</p> <p>Cooperative libraries shall be eligible for state aid under section 13 and section 16(4) of the Act if they meet the personnel, fidelity bond, and annual audit requirements.</p> <p>Personnel Requirement page 10:</p> <p>A cooperative library shall have on duty for at least 6 months of the reporting year a director with a Librarian’s Permanent Professional Certificate and at least 4 years of administrative experience. It shall have personnel with expertise in networking, consulting, and intra-cooperative coordination.</p> <p>Fidelity Bond Requirement page 10:</p> <p>A cooperative library is required to file with the Annual Report/State Aid Application a copy of documents that verify current fidelity bond coverage. The documents may be submitted with the original signature page of the report.</p> <p>State Aid Payment Schedule page 11:</p> <p>The Library of Michigan shall issue 80% of the payment upon receipt of the Annual Report, an original signature page, and fidelity bond documents, according to the following schedule:</p> <table><tr><td>Filing date</td><td>Payment Date</td></tr><tr><td>10/1-10/15</td><td>11/1</td></tr><tr><td>10/16-11/15</td><td>12/1</td></tr><tr><td>11/16-12/15</td><td>1/1</td></tr><tr><td>12/16-1/15</td><td>2/1</td></tr></table> <p>Cooperative libraries are required to file with the Library of Michigan a copy of an annual financial audit within twelve months following the close of each fiscal year. The final 20% of state aid shall be paid when the Library of Michigan has received and reviewed the prior year audit report. The final payment may occur between February 1 and September 30, provided all requirements are satisfied. If material audit findings are disclosed in the annual financial audit report, the cooperative library shall submit a corrective action plan for review and approval by the Library of Michigan. The corrective action plan must include the evidence that supports a deficit elimination plan filed with the Michigan Department of Treasury as required by MCL 141.921. The final 20% of state aid shall not be paid until all financial audit issues have been resolved. If the matter cannot be settled between the cooperative library and the Library of</p>	Filing date	Payment Date	10/1-10/15	11/1	10/16-11/15	12/1	11/16-12/15	1/1	12/16-1/15	2/1	<p>R 397.62 (c) is new and was included because HAL acknowledges that some cooperative services are furnished by third party providers and HAL would like to have notice of what services are being furnished in this manner.</p> <p>R 397.62 (f) and (g) are new and were included because HAL recognizes that cooperative libraries add and lose members regularly and on occasion dissolve.</p> <p>R 397.62 (2)(a) replaces cooperative plan provisions that require a plan to provide a reasonable opportunity for local board reaction and notice of any hearings on the modifications. The hearing language is omitted.</p> <p>The Guideline language on page 10 that pertains to LM review of proposed changes and disputes is deleted because the dispute process is addressed in R 397.91 which describes the circumstances under which waivers will be granted and by MCL 397.572.</p>
Filing date	Payment Date											
10/1-10/15	11/1											
10/16-11/15	12/1											
11/16-12/15	1/1											
12/16-1/15	2/1											

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	<p>Michigan, the matter shall be submitted to the council administrator for resolution. If there is no resolution, the matter shall be submitted to the Council.</p> <p>Cooperative Library Service Area page 11: For the purposes of calculating state aid, a cooperative library's service area shall consist of member and non-member libraries and unserved areas in existence as of October 1 of the year of distribution. Non-member libraries and unserved areas are credited to the cooperative library that last served them. Cooperative libraries must provide basic support to non-member and unserved populations in the service area.</p>	
<p>Certification Application: R 397.71 Certification application and renewal. Rule 71. (1) A candidate seeking professional certification shall submit an application and credentials to the department for evaluation and approval. Proof of educational credentials may be made by submission of a sealed, certified transcript from a college or university or a statement from an authorized official of the accredited institution granting the credits. (2) A certification level of 2 to 4 may be upgraded if an individual completes the requirements to achieve the next certification level as described in R 397.81 to R 397.84. To request a change in certification level an applicant shall complete the following: (a) Contact the department in writing describing the reason for requesting the change in certification level and to verify the name on the existing record. (b) Complete and submit an upgrade request form. (c) Submit a sealed and certified transcript to the department that demonstrates that the requisite degree has been obtained. (3) Professional experience for level 1 certification shall be documented through completion and submission of an upgrade request form and by letters from current or previous employers verifying the job title or responsibilities assigned the individual and documenting the hours worked following receipt of the master of library science degree or its equivalent. The employer shall mail each verification letter to the department. (4) An aggrieved applicant may appeal a certification decision as specified in R 397.92. R 397.72 Certification revocation. Rule 72. In accordance with the support and parenting time enforcement act, the department shall revoke a certificate upon receipt of a court order to revoke. The department shall give notice of revocation to the employing library on record.</p>	<p>Certification of Library Personnel page 12: Candidates for certification by the Library of Michigan shall furnish credentials to the Library of Michigan for evaluation. Proof of education may be by transcript from the educational institution or a statement from the proper official of a high school, community college, 4-year college, or library school granting the credits. The Library of Michigan shall certify qualified library personnel in accordance with the following 7 classifications: Librarian Certification Revocation page 13: Pursuant to Public Acts 235-240 and 336 of 1996, effective January 1, 1997, courts may order the suspension of occupational and drivers licenses. The broad definition of a "certificate" appears to include the librarian certification program that the Library of Michigan conducts in support of the State Aid to Public Libraries grants provided under the state aid act, P.A. 89 of 1997, as amended. If a circuit court issues an order to revoke a certificate, the Library of Michigan will comply with the court order that requires it. Notification will be provided to the library that currently employs the individual according to state aid files maintained by the Library of Michigan.</p>	<p>Changes Between Guidelines' and Rules' Certification of Library Personnel Requirements: R 397.71(2) to R 397.71(4) were included in the rules because the decision was made to incorporate the previously separate professional certification requirements into the rules. These rules prescribe the upgrade process for professional certification. R 397.71 is essentially a streamlined version of the Librarian Certification Revocation Guideline language.</p>
<p>Certification Level Requirements: R 397.81 Level 1 certification. Rule 81. The library of Michigan shall grant a level 1 professional certificate to a person possessing all of the following qualifications: (a) A master's degree or its equivalent from a library school accredited by the American library association. (b) 4 years of full time employment, or an equivalent time period, consisting of paid professional library work experience in a library approved by the department following the completion of educational requirements. R 397.82 Level 2 certification.</p>	<p>Certification Levels pages 12 and 13: The Library of Michigan shall certify qualified library personnel in accordance with the following 7 classifications: I. A Librarian's Permanent Professional Certificate shall be granted to a person who has the following qualifications: A bachelor's degree from a college or university accredited by a regional accrediting body. A master's degree or its equivalent from a library school accredited by the American Library Association. Following completion of the educational requirements, 4 years of</p>	<p>Changes Between Guidelines' and Rules' Certification of Library Personnel Certification Level Requirements: The rules differ from the guidelines by instituting 4 certification levels rather than 7 certification levels. The reasoning behind this change was a desire to streamline and simplify professional certification requirements.</p>

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<p>Rule 82. The library of Michigan shall grant a level 2 professional certificate to a person possessing a master's degree or its equivalent from a library school accredited by the American library association.</p> <p>R 397.83 Level 3 certification.</p> <p>Rule 83. The library of Michigan shall grant a level 3 professional certificate to a person possessing all of the following qualifications:</p> <p>(a) A bachelor's degree from an accredited college or university.</p> <p>(b) Completion of the beginning workshop offered by the library of Michigan.</p> <p>R 397.84 Level 4 certification.</p> <p>Rule 84. The library of Michigan shall grant a level 4 professional certificate to a person possessing all of the following qualifications:</p> <p>(a) A high school diploma or its equivalent.</p> <p>(b) Completion of the beginning workshop offered by the library of Michigan.</p> <p>(c) 1 year of full time employment consisting of library work experience following the completion of educational requirements.</p> <p>R 397.85 Certification revisions.</p> <p>Rule 85. Upon adoption of these rules an individual possessing a professional certification level of either 4 or 5 shall be recognized by the department as possessing a level 3 professional certification. An individual possessing a professional certification level of either 6 or 7 shall be recognized by the department as possessing a level 4 professional certification.</p>	<p>satisfactory professional experience in a library or libraries approved by the Library of Michigan.</p> <p>II. A Librarian's Professional Certificate shall be granted to a person who meets the educational qualifications required for a Librarian's Permanent Professional Certificate. Upon completion of the 4-year experience requirement, the certificate may be exchanged for a Librarian's Permanent Professional Certificate.</p> <p>III. A Special Professional Certificate shall be granted to an individual who possesses a master's degree in a special subject field other than library science or in library science from a curriculum not accredited by the American Library Association.</p> <p>IV. A Limited Professional Certificate Class A shall be granted to an individual who has either of the following qualifications:</p> <p>A bachelor's degree with a major (24 semester hours or its equivalent) in library science.</p> <p>A bachelor's degree and current enrollment in a library school accredited by the American Library Association.</p> <p>V. A Limited Professional Certificate Class B shall be granted to an individual who is a college graduate with a major (24 semester hours or the equivalent) in a subject field other than library science.</p> <p>VI. A Library Technician's Certificate shall be granted to an individual upon completion of a 2-year library technician curriculum approved by the Library of Michigan.</p> <p>VII. A Certificate of Library Experience shall be granted to an individual who has graduated from high school and has successfully completed a Beginning Workshop that is approved by the Library of Michigan. This training must be completed within 2 years of the individual's appointment. The certificate is valid for 3 years and may be renewed by the Library of Michigan after the applicant has submitted transcripts of his or her renewal hours of approved training that equals 3.2 CEUs, 32 contact hours, or 3 credit hours from a college or university.</p>	<p>R 397.81 changes the guideline title from "Librarian's Permanent Professional Certificate" to "Level 1 certification". The bachelor's degree requirement was omitted because it is necessary to obtain a bachelor's degree before obtaining a master's degree.</p> <p>R 397.82 changes the guideline title from "Librarian's Professional Certificate" to "Level 2 certification".</p> <p>R 397.83 changes guideline titles "Special Professional Certificate", "Limited Professional Certificate Class A", and "Limited Professional Certificate Class B" to "Level 3 certification". The rule requires the completion of beginning workshop training. The reason the rule modifies the guidelines is that LM and HAL felt it necessary to take steps to ensure that applicants for the various certificates receive additional library specific training and continuing education. LM and HAL recognize that certification level 3 will encompass a wide range of educational levels from bachelor's degrees to PhD's. However, LM and HAL also recognize the value of library-specific training for quality library service.</p> <p>R 397.84 changes guideline titles "Library Technician's Certificate" and "Certificate of Library Experience" to "Level 4 certification". The rule lumps together the aforementioned certification levels and contains additional continuing educational requirements. The reason for this change is the same as the reasoning described for R 397.83 above.</p> <p>R 397.85 is a grandfather clause.</p>
<p>Waiver and Appeals:</p> <p>R 397.91 Waiver of state aid eligibility requirements and appeal.</p> <p>Rule 91. (1) The department, through the department director, may grant a limited waiver to a cooperative library or public library for one particular eligibility requirement for the receipt of state aid funds, if the public library or cooperative library requests the waiver in writing and the public library board or cooperative board shows that the failure to meet a requirement was not a continuing violation but a temporary condition. The department director may delegate the authority to grant waivers in writing.</p> <p>(2) The department may consider waiver in cases where the failure to comply with an eligibility requirement is due to unforeseen circumstances beyond the requester's control.</p> <p>(3) The department shall not grant a waiver unless the applicant submits an action plan for compliance before the end of the next reporting year.</p> <p>(4) The department shall issue a written decision concerning each waiver request within 30 days of receiving the request.</p>	<p>Waiver of State Aid Requirement page 14:</p> <p>If the library fails to comply with the requirements for receipt of state aid and the public library board or cooperative board proves that the failure to meet a requirement was not a continuing violation but a temporary condition, the Library of Michigan may waive the requirement. The waiver would be contingent upon the presentation of an action plan for compliance with the requirement before the end of the next reporting year. If the Library of Michigan considers a public library's noncompliance with a requirement for state aid to be willful, or if the public library fails to comply with the course of action on which a waiver is based, the Council Administrator shall review the matter and will decide whether to grant a waiver so that state aid may be paid to the library. A separate waiver is required for each fiscal year.</p> <p>Dispute Resolution pages 15 and 16:</p> <p>The Library of Michigan shall encourage all parties to a cooperative</p>	<p>Changes Between Guidelines' and Rules' Waiver and Dispute Resolution Requirements:</p> <p>R 397.91 The Department rather than the LM has been referred to because it is the Director of HAL that has the legal authority to make the decision to grant a waiver. However, the Department Director can delegate the authority to grant waivers. The guideline action plan requirement has been omitted and replaced with the requirement that there be a single temporary deficiency due to unforeseen circumstances.</p> <p>The guideline language pertaining to dispute resolution has been omitted because it is addressed in MCL 397.572.</p>

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<p>(5) The department's decision is binding.</p> <p>(6) A separate waiver request is required for each state aid filing year.</p> <p>R 397.92 Professional certification appeal.</p> <p>Rule 92. (1) A person may appeal a denial of an application for professional certification submitted under these rules. An appellant shall follow the procedures prescribed in this rule.</p> <p>(2) To file an appeal under this rule, an appellant shall submit a written appeal that specifically states the word "appeal" and states the reasons for reversal of the denial. For the appellant's appeal to be considered, the appellant shall file the appeal within 60 days of the appellant's receipt of the decision subject to the appeal. The appeal shall be addressed to the Chief Appeals Officer, Michigan Historical Center, Michigan Department of History, Arts, and Libraries, 702 W. Kalamazoo, P.O. Box 30738, Lansing, MI 48909-8238. All information, records, and other materials that the appellant wants to be considered shall accompany the written appeal.</p> <p>(3) The chief appeals officer shall contact the library of Michigan and obtain a copy of the library of Michigan's official file on the application at issue. The officer shall not conduct a hearing, but shall consider all of the following:</p> <p>(a) The library of Michigan's file.</p> <p>(b) All written submissions from the appellant.</p> <p>(c) The standards for professional certification contained within part 8 of these rules.</p> <p>(d) Any other available information.</p> <p>(4) Within 60 days, the officer shall prepare a written decision and shall furnish a copy of the decision to the appellant and the library of Michigan. An appeal constitutes an administrative review of the denial and is not conducted as a contested case proceeding.</p> <p>(5) When considering the appeal, the chief appeals officer shall assess alleged errors in professional judgment and other alleged prejudicial errors of fact or law. The officer may base a decision in whole or in part on matters or factors not addressed in the appealed decision. When rendering a decision, the officer may do 1 of the following:</p> <p>(a) Reverse the appealed decision.</p> <p>(b) Affirm the appealed decision.</p> <p>(c) Resubmit the matter for further consideration.</p> <p>(6) The decision of the chief appeals officer is the final decision on the appeal. A person may not be deemed to have exhausted his or her administrative remedies with respect to the certifications governed by these rules until the chief appeals officer has issued a final administrative decision under these rules.</p>	<p>library dispute to resolve their disputes at the local level. If a dispute cannot be resolved locally, the Library of Michigan may investigate and mediate the dispute. A dispute may be submitted to the Council for resolution if all of the following steps have been taken:</p> <p>The head librarian of the public library has met with the director of the cooperative library and attempted in good faith to resolve any problems.</p> <p>Upon failure of the respective library directors to achieve a resolution, the board of each library involved, following a review of the issues, has petitioned the cooperative library director and board in writing for redress of the matters in dispute specifying the remedies sought.</p> <p>The cooperative library director has presented the petition, along with recommendations, to the cooperative library board within 90 days after receiving the petition and has promptly reported the cooperative library board's conclusions in writing to all parties concerned.</p> <p>Upon failure of the cooperative library board to resolve the issue, the cooperative library board or the involved library board has submitted the dispute to the State Librarian along with copies of all documentation.</p> <p>The State Librarian has mediated the dispute.</p> <p>If mediation failed to resolve the dispute, the State Librarian has referred the matter with recommendations and documentation to the Library of Michigan Board of Trustees.</p> <p>Upon failure of the Library of Michigan Board of Trustees to resolve the issue, the State Librarian shall submit a request for review to the Council Administrator. The request for review shall include evidence that remedies were exhausted as required and the recommendations of the Library of Michigan Board of Trustees.</p> <p>The Council Administrator shall review any disputed matters which have not been resolved by the Library of Michigan Board. The decision of the Council Administrator is final unless the matter, at the administrator's request, is granted a hearing by the Council.</p>	<p>R 397.92 is entirely new language that permits professional certification applicants to appeal adverse decisions regarding their certification applications.</p>

Revised: July 30, 2008